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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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3                   **UNITED STATES DISTRICT COURT**  
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6                   **DISTRICT OF NEVADA**

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8                   IN RE: ELECTRONIC SUBMISSION OF  
9                   NDOC PRISONER DOCUMENTS

10                  **FIFTH AMENDED GENERAL**  
11                  **ORDER 2012-01**

12                  Since February 19, 2013, the United States District Court for the District of  
13                  Nevada (“Court”), the Nevada Department of Corrections (“NDOC”), and the Office of  
14                  the Attorney General of the State of Nevada have participated in an electronic filing  
15                  project designed to reduce the cost of processing prisoner filings in cases filed under 42  
16                  U.S.C. § 1983 under General Order No. 2012-01. The terms of the e-filing project are  
17                  now mandated as follows:

- 18                  1. Electronic filing of prisoner filings in civil rights cases was implemented at  
19                  Northern Nevada Correctional Center (“NNCC”) in 2013, at Lovelock Correctional  
20                  Center (“LCC”) in 2015, and on April 1, 2020 at both Ely State Prison (“ESP”) and  
21                  High Desert State Prison (“HDSP”).  
22                  2. All prisoner filings in all federal cases before this Court, including civil rights and  
23                  habeas corpus cases, must be filed electronically at those facilities which have  
24                  implemented electronic filings.  
25                  3. All NDOC prisoner filings in all federal cases before this Court, including civil  
26                  rights and habeas corpus cases, must be filed electronically beginning no later  
27                  than January 1, 2022, excluding filings from rural NDOC camps.

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- 1       4. NDOC will be provided with free Public Access to Court Electronic Records
- 2                 ("PACER") accounts for use by the law librarians who become registered users.
- 3       5. NDOC staff must scan to PDF and transmit electronically to the Court all
- 4                 documents presented by prisoners for filing with the Court. The original
- 5                 documents must be returned to the prisoner. All documents submitted for filing
- 6                 by prisoners in NDOC facilities must be emailed to the Court in PDF format, and
- 7                 in accordance with NDOC procedures therefor.
- 8       6. The Court will receive and file the prisoners' documents electronically. After
- 9                 traditional service of the prisoner's complaint, and appearance by an opposing
- 10                 party, electronic transmission of the filed document to opposing parties who are
- 11                 registered users of the Court's electronic filing system constitutes service of the
- 12                 hyperlinked document for purposes of Rule 5(b)(3) of the Federal Rules of Civil
- 13                 Procedure. The inmate must mail a copy of the prisoner's electronically filed
- 14                 document to non-registered users.
- 15       7. Each NDOC facility, excluding rural NDOC camps, must establish an email
- 16                 address for receipt of documents filed electronically. NDOC staff will print the
- 17                 electronic transmission receipt, the hyperlinked order, and other documents filed
- 18                 by the Court. Receipt of copies of the receipt and hyperlinked documents by the
- 19                 prisoner constitutes service of the document on the prisoner. If the prisoner
- 20                 refuses delivery or is no longer at a particular NDOC facility, NDOC staff must
- 21                 indicate the reason for non-delivery on the transmission receipt and email it to
- 22                 the Court.
- 23       8. Opposing parties who are registered users of the Court's electronic filing system
- 24                 must serve filings on NDOC prisoners by the Court's electronic filing system.
- 25                 NDOC staff must print and provide to prisoners the electronic receipts, and the
- 26                 hyperlinked documents filed by opposing parties.

The Court has evaluated the e-filing project and determined it should be continued permanently at all NDOC facilities, excluding rural NDOC camps, and that the e-filing project will become mandatory at other NDOC facilities on the schedule stated above.

DATED THIS 3<sup>rd</sup> Day of September 2020.

MIRANDA M. DU, CHIEF JUDGE  
UNITED STATES DISTRICT COURT